GOVERNMENT OF INDIA
PETROLEUM AND NATURAL GAS
LOK SABHA

UNSTARRED QUESTION NO:3501
ANSWERED ON:08.08.2016
Allotment of Petrol Pump
Jayadevan Shri C. N.;Singh Shri Sushil Kumar

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether the owner of disputed land had submitted various court orders showing that the land in question is disputed and the District Collector certified that the land is an agricultural land and if so, the details thereof;

(b) whether the Government has made any efforts to communicate with the owner of the land and to seek explanation from the District Collector for issuing NOC without settling the problem with the owner of the land; and

(c) if so, the details and the outcome thereof along with the follow up action taken by the Government thereon?

Answer

MINISTER OF STATE (I/C) IN THE MINISTRY OF PETROLEUM & NATURAL GAS (SHRI DHARMENDRA PRADHAN)

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(a) to (c) : Indian Oil Corporation Limited has informed that the dispute pertains to the premises of M/s Kisan Seva Kendra Bhailoni Lodh, a proprietorship firm of Smt. Smita Panth, constructed on plot bearing survey no 217/2, Village-Bhailoni Lodh, Dist Lalitpur UP. The KSK plot is owned by one Shri Ratanlal, which he has given on long lease to the dealer Smt. Smita Panth. As per revenue records, the said plot no 217 has 3 parts as shown below:

S.No.	Plot Survey No.	Area (Hectare)	Owners (Sh/Smt)
1	217/1	0.587 Hectare or 1.45 Acre	Khilan and Others
2	217/2	0.45 Hectare or 1.111 acre	Ratanlal
3	217/3	0.45 Hectare or 1.117 acre	Banjar Bhoomi

As per available records, there was court case no 81/2002-2003 in the court of SDM Talbehat among land owners Bhagwant Singh Vs Khilan Singh, Mangal Singh and Others under section 176 regarding property division of various plot survey numbers including 217, area 0.587 Hectare. However, kharsra no 217/2 (Area 0.45 hectare) is not included in the dispute and there is no stay on this plot.
There were other court cases in the court of SDM Lalitpur including case no 12/97-98, 397/99-2000, 71/06-07, 410/02-03, 262/12-13, under section 229B/209 ??.?.?. on various lands including plot no 217. However, no relief was sought in plaint regarding plot no 217/2 and also no stay was granted by the SDM Court regarding the plot in question.

Further, land area 0.200 hectare out of total area 0.450 hectare of plot no 217/2 was converted as commercial land (Land use petrol pump) under section − 143 of ZALR on 04.10.2013 by SDM Talbehat. The fact SDM Talbehat allowed conversion indicates that there was no stay order/restriction on land conversion of the plot no. 217/2, where the KSK is located.
IOCL panel advocate also investigated the matter and advised that there was no pending suit pertaining to plot no 217/2.

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Further, a writ petition (54510/13) filed by Shri Mangal Singh at Allahabad High Court was dismissed as withdrawn on 27.03.2014.

IOCL has further informed that following the above dealer selection, one of the candidates, i.e. Smt. Rekha Gupta had filed a representation against first empanelled candidate and also filed WP in Allahabad High Court. However, in investigation it was found that allegations of the petitioner were not substantiated. Similarly, another representation received from Sh Mangal Singh vide letter 15.09.2013 was also examined and not found to be substantiated.

In view of the above, all complaints / objections related to the subject issues were investigated and no complaint was substantiated. The subject KSK was commissioned after obtaining No Objection Certificate from concerned District Magistrate and land conversion order from competent authorities, as well as requisite legal clearances.
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